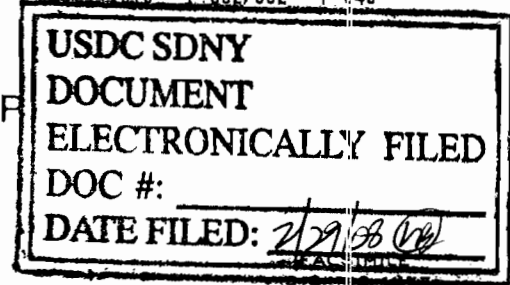


LOVELL STEWART HALEBIAN LLP

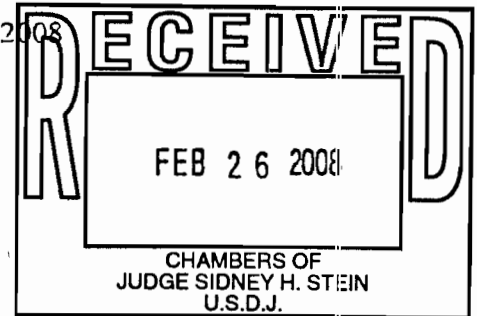
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February 26, 2008



VIA FACSIMILE (212) 805-7924

Honorable Sidney H. Stein
United States District Judge
United States Courthouse
500 Pearl St., Room 1010
New York, NY 10007

RE: *Capozzoli v. RBC Dain Rauscher, Inc. et al*
07 CIV 11200 (SHS) (FM)

Dear Judge Stein:

✓ We represent the plaintiff in this litigation and write on behalf of both plaintiff and defendants to request that the Court correspondingly extend the time for defendants to respond to the complaint for the same two week period by which the pre-trial conference that was scheduled for this past Friday February 25, 2008 was adjourned to March 7, 2008. As the Court may recall from the last pre-trial conference, the plaintiff here is in discussions with defendants about voluntarily transferring this litigation to the federal district court in Minnesota where other related litigation has been pending. Plaintiff here has also been in discussions with the Minnesota plaintiffs and we hope and expect to reach an agreement regarding a voluntary transfer shortly. Accordingly, the parties request that the Court extend defendants' time to respond to the complaint from February 29, 2008 to March 14, 2008, i.e. one week after the presently scheduled pre-trial conference in order to preserve the status quo. *[Signature]*

Respectfully submitted,

[Signature of John Halebian]
John Halebian
Counsel for Plaintiff

cc: Sari M. Alamuddin, Esq. (via email)
Counsel for Defendants

*2/26/08
So ordered
Sidney H. Stein
USDC*